

**MINUTES  
LAKE COUNTY ZONING BOARD  
April 4, 2011**

The Lake County Zoning Board met on Monday, April 4, 2011 in the Commission Chambers on the second floor of the County Administration Building to consider an Ordinance amendment.

The recommendations of the Lake County Zoning Board will be transmitted to the Board of County Commissioners for their public hearing to be held on Tuesday, April 5, 2011 at 9 a.m. in the Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

**Members Present:**

Timothy Morris, Vice Chairman	District 1
Scott Blankenship	District 2
Rick Gonzalez	District 4
Paul Bryan, Chairman	District 5
Kasey Kesselring	At-Large Representative

**Members Not Present:**

John Childers	Ex-Officio, Nonvoting Military Representative
Jim Miller	School Board Representative
James Gardner, Secretary	District 3

**Staff Present:**

Amye King, Growth Management Director, Dept. of Growth Management  
Brian T. Sheahan, AICP, Director, Planning and Community Design Division  
Angi Thompson, Development Processing Manager, Dept. of Growth Management  
Aziza Bryson, Public Hearing Coordinator, Planning and Community Design Division  
Ed O'Malley, Program Specialist, Dept. of Growth Management  
Melanie Marsh, Deputy County Attorney, County Attorney's Office

Chairman Bryan called the meeting to order at 9:00 a.m. He led in the Pledge of Allegiance and gave the invocation. Chairman Bryan noted that a quorum was present. He confirmed the Proof of Publication for each case as shown on the monitor and that this meeting had been noticed pursuant to the Sunshine Statute.

**Opening Discussion**

**Regular Agenda:**

**Agenda No.**

Ordinance 2011- XX	Impact Fees/Concurrency Management Ordinance Amendment
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**OPENING DISCUSSION**

Chairman Bryan asked for clarification on what the Board would be considering and if a brief review of Impact Fees and Concurrency Reservation Fees would be provided.

Melanie Marsh, Deputy County Attorney, explained that as the Local Planning Agency (LPA), the Zoning Board is to review changes to the Land Development Regulations (LDR), pertaining to section 4, regarding section 5.01.01 of the LDR's on Concurrency Management.

**REGULAR AGENDA**

<b>Ordinance 2011- XX</b>	<b>Impact Fees/Concurrency Management</b>	<b>1</b>
	<b>Ordinance Amendment</b>	

Brian Sheahan, Director, introduced the Ordinance amendment by reading the title of the Ordinance.

Angi Thompson, Development Processing Manager, gave an overview of the purpose of the Ordinance amendment; explaining that the change would essentially suspend any associated capacity reservation fees that have an associated impact fee suspension at the same time. She also explained how Impact Fees and Concurrency Management are related to each other.

Tim Morris, Board member, summarized that once this Ordinance is passed, a person that was in waiting for a parcel would pay no impact fees while having four years to complete the project.

Mr. Morris asked if the School Board wanted to continue this matter, would the Zoning Board have to meet quarterly, based on their schedule, in order to consider the possible continuances.

Ms. Marsh replied that the School Board discussed setting up a meeting before the extension would expire at which point they could discuss whether or not they wanted to continue the matter.

Craig Hegstrom, Public Speaker, questioned how the fees would be handled that had already been pre-paid. He asked if the fees could possibly be applied to a credit that could be transferred to another piece of property.

Ms. Marsh replied that it depends because if fees were paid under the pre-pay section, they are generally non-refundable and would become a credit on the property. She further stated that the Board of County Commissioners (BCC) is looking at processing a separate ordinance to allow people to transfer pre-pays to other properties in the same impacted district, yet stated that this is not part of the discussion for the Ordinance before the Board today.

Mr. Hegstrom expressed his concern about not wanting to lose any money.

Jody Coursey with Al Coursey Homes, Public Speaker, stated that these impact fees critically affect the home owners that they are selling to. He also expressed his concern in regards to pre-paid fees and requested some type of help, possibly in the form of refunds of the pre-paid fees.

Dan Robuck, Public Speaker, stated that this all boils down to jobs and compared the amount of permits pulled in Lake County to some of the other surrounding Counties; attributing the low numbers in part to impact fees. He stated that the schools don't really need the money. He

requested that the Board would recommend to the BCC that the extension would be longer than September 30, 2011, maintaining that this date only helps the national home builders not the local builders. Mr. Robuck suggested an extension date of February 15, 2012.

James Bible with Showcase Homes, Public Speaker, had questions about the concurrency and impact fee reservations. He expressed his desire to receive credits for the pre-paid impact fees. He wanted to know if there could be a recommendation from the Zoning Board to discuss concurrency credits.

George Hansford with Prominent Construction, Public Speaker, expressed his concern with pre-paid impact fees and getting people back to work in Lake County.

Board discussion took place in regards to making a recommendation to the BCC to consider some options in order to address the concerns that were raised by local home builders about pre-paid impact fees and the length of the suspension of the impact fees from six months to twelve months.

**MOTION by Tim Morris, SECONDED by Scott Blankenship to recommend APPROVAL of the amendment to Chapter 5 Concurrency, specifically Section 5.01.01.**

**FOR:** Morris, Bryan, Gonzalez, Blankenship, Kesselring

**ABSENT:** Gardner, Miller

**AGAINST:**

**NOT PRESENT:** Childers

**MOTION CARRIED: 5-0**

Brief Board discussion took place.

**MOTION by Kasey Kesselring, SECONDED by Tim Morris to make a recommendation to the Board of County Commissioners to consider an ordinance with regard to the transfer or refund of any pre-paid Impact Fees and also that the existing Ordinance suspending the School Impact Fees be extended to one year.**

**FOR:** Morris, Bryan, Gonzalez, Blankenship, Kesselring

**ABSENT:** Gardner, Miller

**AGAINST:**

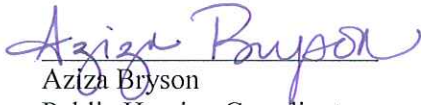
**NOT PRESENT:** Childers

**MOTION CARRIED: 5-0**

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:35 a.m.

Respectfully submitted,

  
Aziza Bryson  
Public Hearing Coordinator

  
Paul Bryan  
Chairman